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**JAN 08 2009**

Applicant: Frosien  
Appl. No.: 10/593,246  
International Filing Date: February 17, 2005  
Title: HIGH CURRENT DENSITY PARTICLE BEAM SYSTEM  
Attorney Docket No.: ZIMR/0048  
Pub. No.: US 2007/0284536 A1  
Pub. Date: December 13, 2007

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on February 13, 2008, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains material errors in the specification in line 23, paragraph [0061].

37 CFR 1.221(b) is applicable "only when the Office makes a material mistake which is apparent from Office records. Any request for a corrected or revised patent application publication other than as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.<sup>1</sup>

The errors in the symbols noted by requestor in the specification are not material Office errors under 37 CFR 1.221(b). The erroneous equation is descriptive of a spherical beam enlargement to which applicant's invention is directed. The error in the equation does not impact the description of applicant's invention. A person having ordinary skill in the art will be able to understand the context by the surrounding information in the specification.

Applicant is advised to file application papers that are clearer, as the errors are due to the quality of the text. The text, with respect to the superscripts and subscripts, is very small, which makes it difficult to read and to electronically reproduce by digital imaging and optical character

<sup>1</sup>Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

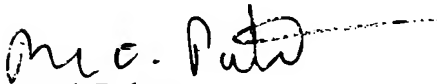
recognition. Applicants have been advised to file applications having cleaner and larger text with sufficient clarity and contrast to permit reproduction, such as electronic reproduction by digital imaging and optical character recognition, which will avoid errors in the patent application publication process. See 37 CFR 1.52.

Applicants are advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

Any request for republication under 37 CFR 1.221(a) must be submitted via the EFS system as a "Pre-Grant Publication" and any questions or request for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Va. 22313-1450

Inquiries relating to this matter may be directed to Michael Cygan, Legal Advisor, at (571) 272-7700, or to the undersigned at (571) 272-7709.



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